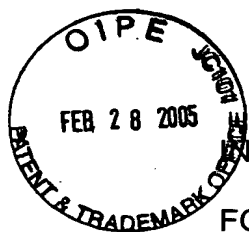


B/IFW



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF

: William R. Daniels

FOR

: **METHOD FOR EVALUATING  
CAPACITY UTILIZATION OF A  
TERMINUS IN A COMMUNICATION  
SYSTEM**

SERIAL NO.

: 09/882,968

FILED

: June 15, 2001

EXAMINER

: Lee, Andrew Chung Cheung

ART UNIT

: 2664

CONFIRMATION NO.

: 9987

ATTORNEY DOCKET NO.

: LUTZ 2 00299  
Case Name/No. Daniels 1

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner indicated that claims 1-8 are allowed over the prior art. This recognition of allowable subject matter is acknowledged and appreciated.

However, while the applicant agrees that the claims are allowable, the applicant does not concede that the claims are only allowable for the precise reasons stated by the Examiner.

Furthermore, the applicant does not concede that the Examiner's statements are entirely accurate and precise.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

February 25, 2005  
Date




Joseph D. Dreher  
Reg. No. 37,123  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216/861-5582

CERTIFICATE OF MAILING

I certify that this Comments on Statement of Reasons for Allowance is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date <u>Feb 25, 2005</u>	Printed Name Roseanne Giuliani